

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating an alley thereof.

WHEREAS, a petition to vacate a public alley within the city of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-4-12; and

WHEREAS, this body concurs in the recommendation of the city Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

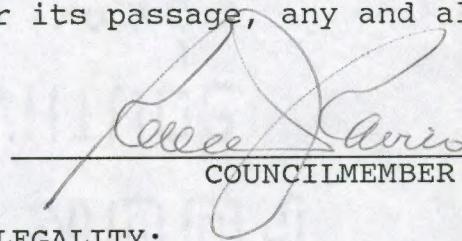
SECTION 1. That the petition filed herein to vacate a public alley within the City of Fort Wayne, more specifically described as follows, to-wit:

Said alley is 14 feet wide and lies south of and adjacent to Lots 171, 172 173, 174, 175, and 176 in Rockhill's Amended Addition to the City of Fort Wayne, Allen County, Indiana, and is further bounded on the west by VanBuren Street and on the east by Broadway and in particular described as follows: Commence at the Southwesterly corner of Lot 171 in said Rockhill's Amended Addition; thence easterly along the northerly line of a 14 foot public alley, being coincident with the southerly line of 171, 172, 173, 174, 175 and 176 in said Rockhill's Amended Addition, a distance of 300.0 feet to the southeasterly corner of Lot 176 in said Addition, being situated on the westerly right-of-way of Broadway; thence southerly along the westerly right-of-way of Broadway, a distance of 14 feet to the northeasterly corner of Lot 1 in Anderson and Wilken's Subdivision; thence westerly along the southerly line of said alley; being coincident with the northerly line of Lots 1 and 2 in said Anderson and Wilken's Subdivision and the northerly line of Lots 179, 180, 181, and 182 in Rockhill's Amended Addition, a distance of 300.0 feet to the northwesterly corner of Lot 182 in said Rockhill's Amended Addition, being situated on the Easterly right-of-way line of VanBuren Street; thence northerly along the easterly right-of-way line of VanBuren Street, a distance of 14 feet to the point of beginning.

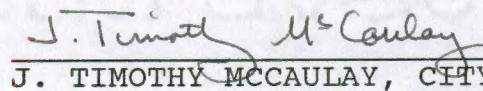
and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all

X 65  
respects.

1 SECTION 2. That this Ordinance shall be in full force  
2 and effect from and after its passage, any and all necessary  
3 approval by the Mayor.

  
Lee Ann Davis  
COUNCILMEMBER

5 APPROVED AS TO FORM AND LEGALITY:

6   
J. TIMOTHY McCAULAY, CITY ATTORNEY

8 \*\* Public hearing to be held on \_\_\_\_\_,  
9 the \_\_\_\_\_ day of \_\_\_\_\_, 1993,  
10 in the Council Chambers.

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12 Sandra E. Kennedy, City Clerk  
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Read the first time in full and on motion by Darne, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on 19, the 19 day of August, o'clock

M., E.S.T.

DATED: 5-11-93

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Darne, and duly adopted, placed on its passage. PASSED ~~EST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
<u>TOTAL VOTES</u>	<u>8</u>			<u>1</u>
<u>BRADBURY</u>	<u>✓</u>			
<u>EDMONDS</u>	<u>✓</u>			
<u>GiaQUINTA</u>	<u>✓</u>			
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>LUNSEY</u>				<u>✓</u>
<u>RAVINE</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 8-24-93

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 8-27-93

on the 24th day of August, 1993

ATTEST:

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Mark E. GiaQuinta  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of August, 1993, at the hour of 8:30 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 25 day of August, 1993, at the hour of 9:20 o'clock A.M., E.S.T.

Mark E. GiaQuinta, Designer  
for: PAUL HELMKE, MAYOR

## RECEIPT

No 14860

COMMUNITY &amp; ECONOMIC DEVELOPMENT

FT. WAYNE, IN.,

3/29 93

19

RECEIVED FROM ROBERT N. BOSSERMAN \$ 150<sup>00</sup>  
THE SUM OF One Hundred Fifty AND 00/100 DOLLARS  
ON ACCOUNT OF Vacation of Alley Between  
Van Buren & Broadway North of Jefferson

PAID BY: CASH  CHECK  M.O. 

5638

AUTHORIZED SIGNATURE

M. J. (Janet)

Date Filed: \_\_\_\_\_

Vacation Petition

I/We ST. JOHN EVANGELICAL LUTHERAN CHURCH  
(Applicant's Name or Names)

PETITION TO VACATE Alley  
(Street, Alley, Utility Easement, Plat,  
(Providing a utility easement for existing utilities)

Other)

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do (does) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following Alley with the City of Fort Wayne, Indiana, and hereby described as follows:

Said alley is 14 feet wide and lies south of and adjacent to Lots 171, 172, 173, 174, 175, and 176 in ROCKHILL'S AMENDED ADDITION to the City of Fort Wayne, Allen County, Indiana, and is further bounded on the West by VanBuren Street and on the East by Broadway and in particular described as follows:

(Legal Description of property being vacated) If additional space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as follows:

(List reasons for requesting vacation.)

1. St. John Ev. Lutheran Church is owner of all real estate, except for one parcel of property bordering both sides of the alley.
2. St. John Ev. Lutheran Church operates a parochial school. The through traffic creates a dangerous condition for the children. St. John's presently requests permission to block off the alley to traffic at specified times however traffic still drives around the barricades.
3. The maintenance of said alley is not necessary or advantageous to the growth of the City of Fort Wayne, and it would be to the best interest of the City and the Citizens thereof.

(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance, in order to complete the vacation as described.

WHEREFORE, your petitioner(s) pray that the above described Alley be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 8th DAY OF October 19 92

Thomas L. Schoenherr  
Geraldine Schoenherr

Adjacent Property Owner  
Typed Name

Adjacent Property Owner  
Typed Name

1636 Woodland Lake Pass, Ft Wayne 46825  
Address Zip

Address Zip

✓ Thomas L Schoenherr  
Signature

Signature

✓ Geraldine M Schoenherr

Legal Description of Property:

SEE ATTACHED.

Additional Reasons for Vacation Request:

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Owners of Adjacent Property:

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Adjacent Owners TYPED Name	Property Address/Zip	Signature
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NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

This form is to be filed in duplicate.

AGENT: Don Noland, Cong. Chmn.  
ROBERT BOSSERMAN

Name

129 W. WASHINGTON BLD.

Street Address

FORT WAYNE, IN 46802

City/State/Zip

426-5751

Phone

LEGAL DESCRIPTION ONLY

Following is a legal description of a public Alley proposed for Vacation. Said Alley is 14 feet wide and lies South of and adjacent to Lots 171, 172, 173, 174, 175, and 176 in ROCKHILL'S AMENDED ADDITION to the City of Fort Wayne, Allen County, Indiana, and is further bounded on the West by Van Buren Street and on the East by Broadway and in particular described as follows to-wit:

Commence at the Southwesterly corner of Lot 171 in said ROCKHILL'S AMENDED ADDITION: thence Easterly along the Northerly line of a 14 foot public Alley, being coincident with the Southerly line of Lots 171, 172, 173, 174, 175, and 176 in said ROCKHILL'S AMENDED ADDITION, a distance of 300.0 feet to the Southeasterly corner of Lot 176 in said Addition, being situated on the Westerly right-of-way of Broadway; thence Southerly along the Westerly right-of-way of Broadway, a distance of 14 feet to the Northeasterly corner of Lot 1 in ANDERSON and WILKEN'S SUBDIVISION: thence Westerly along the Southerly line of said Alley; being coincident with the Northerly line of Lots 1 and 2 in said ANDERSON and WILKEN'S SUBDIVISION and the Northerly line of Lots 179, 180, 181, and 182 in ROCKHILL'S AMENDED ADDITION, a distance of 300.0 feet to the Northwesterly corner of Lot 182 in said ROCKHILL'S AMENDED ADDITION, being situated on the Easterly right-of-way line of Van Buren Street; thence Northerly along the Easterly right-of-way line of Van Buren Street, a distance of 14 feet to the point of beginning.

IN WITNESS WHEREOF, I place my hand and seal, this 15<sup>th</sup> day of August 1992.

*Hans C. Riffen*



## CERTIFICATE OF SURVEY

NUMBER

OFFICE OF HOFER AND DAVIS, INC.

Hans C. Hofer

CIVIL ENGINEERS &amp; LAND SURVEYORS

FORT WAYNE, INDIANA

A.K. HOFER P.E. No. 72  
(1968) L.S. No. 10504CARL A. HOFER P.E. No. 7122  
L.S. No. 10031WILLIAM S. DAVIS L.S. No. S-0053  
L.S. No. 18114 MichiganMICHAEL W. DAVIS  
L.S. No. 880030

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as herein noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated: all as below indicated in detail. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY Lot No. .... SEE ATTACHED SHEET



IN WITNESS WHEREOF, I place my hand and  
seal, this 15<sup>th</sup> day of AUGUST, 1952.

Hans C. Hofer

RESOLUTION 80-194-6

WHEREAS, ST JOHN EVANGELICAL LUTHERAN CHURCH has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated alley situated in Fort Wayne, Allen County, to-wit:

Said alley is 14 feet wide and lies south of and adjacent to Lots 171, 172 173, 174, 175, and 176 in Rockhill's Amended Addition to the City of Fort Wayne, Allen County, Indiana, and is further bounded on the west by VanBuren Street and on the east by Broadway and in particular described as follows: Commence at the Southwesterly corner of Lot 171 in said Rockhill's Amended Addition; thence easterly along the northerly line of a 14 foot public alley, being coincident with the southerly line of 171, 172, 173, 174, 175 and 176 in said Rockhill's Amended Addition, a distance of 300.0 feet to the southeasterly corner of Lot 176 in said Addition, being situated on the westerly right-of-way of Broadway; thence southerly along the westerly right-of-way of Broadway, a distance of 14 feet to the northeasterly corner of Lot 1 in Anderson and Wilken's Subdivision; thence westerly along the southerly line of said alley; being coincident with the northerly line of Lots 1 and 2 in said Anderson and Wilken's Subdivision and the northerly line of Lots 179, 180, 181, and 182 in Rockhill's Amended Addition, a distance of 300.0 feet to the northwesterly corner of Lot 182 in said Rockhill's Amended Addition, being situated on the Easterly right-of-way line of VanBuren Street; thence northerly along the easterly right-of-way line of VanBuren Street, a distance of 14 feet to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

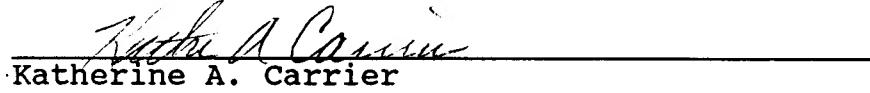
STATE OF INDIANA)  
                         ) SS:  
COUNTY OF ALLEN )

I, CHARLES E. LAYTON, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held \_\_\_\_\_ and as same appears of record in the official records of the Board of Public Works.

DATED THIS 21 DAY OF July 1993

FORT WAYNE BOARD OF PUBLIC WORKS

  
Charles E. Layton  
Director of Public Works

  
Katherine A. Carrier  
Member, Board of Public Works

---

C. James Owen  
Member, Board of Public Works

RESOLUTION

WHEREAS, ST JOHN EVANGELICAL LUTHERAN CHURCH has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated alley situated in Fort Wayne, Allen County, to-wit:

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all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said public hearing was held on May 17, 1993 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated alley.

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

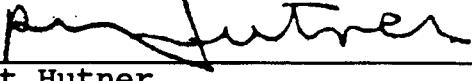
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated alley in Allen County, Indiana.

STATE OF INDIANA)  
                  ) SS:  
COUNTY OF ALLEN )

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held, May 24, 1993 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 13th DAY OF July 1993

FORT WAYNE CITY PLAN COMMISSION

  
Robert Hutner  
Secretary

ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Alley Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE A 14 foot wide alley running east and west, bounded by Washington Bl on the North, Jefferson Bl on the South, Broadway on the East and VanBuren St on the West.

B-93-05-12

EFFECT OF PASSAGE Property is currently dedicated right-of-way. Property will be vacated and revert to the adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE)

**FACT SHEET**

G-93-05-12

**BILL NUMBER****Division of Community  
Development & Planning**

<b>BRIEF TITLE</b>	<b>APPROVAL DEADLINE</b>	<b>REASON</b>
Alley Vacation Ordinance		

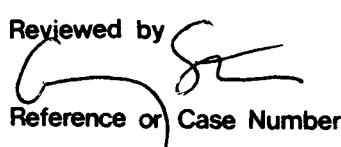
**DETAILS**

<b>POSITIONS</b>	<b>RECOMMENDATIONS</b>
<b>Sponsor</b>	City Plan Commission
<b>Area Affected</b>	City Wide  Other Areas
<b>Applicants/ Proponents</b>	Applicant(s) St John Evangelical Lutheran Church City Department  Other
<b>Opponents</b>	Groups or Individuals  Basis of Opposition
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  Reason Against
<b>Board or Commission Recommendation</b>	By  <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken  <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
<b>CITY COUNCIL ACTIONS (For Council use only)</b>	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

**DETAILS****POLICY/ PROGRAM IMPACT**

<b>Policy or Program Change</b>	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<b>Operational Impact Assessment</b>		

(This space for further discussion)

**Project Start****Date** 29 March 1993**Projected Completion or Occupancy****Date** 27 July 1993**Fact Sheet Prepared by**  
Patricia Biancaniello**Date** 27 July 1993**Reviewed by**  
SC**Date**

7/20/93

**Reference or Case Number**

a. Bill No. G-93-05-12 - Vacation Petition #535  
East/West alley between Broadway and Van Buren, south of  
Washington Blvd.

Bob Bosserman, a member of St. John's Lutheran Church an architect locally and is on the Long Range Planning Committee for St. John's and Chairman of the Building Committee for St. John's appeared before the Commission. Mr. Bosserman stated this alley vacation was part of an overall plan and the alley vacation is just a piece of what they intend to do. He stated that it is a first step to improve their property and their physical image in the community. He stated that over the years they have acquired most of the properties in the block. He stated that the alley vacation is requested to permit them to develop this whole south half of the block in a more unified approach. He stated it will have new paving and drainage, landscaping and lighting to control the traffic pattern on the block and to possibly eliminate two present driveways onto Jefferson Blvd. He presented a rendering of the proposed site to the Commission. He stated that they are trying to develop the parking area so that they can separate and control the vehicular traffic. He stated that they recognize that there are existing utilities in the area to be vacated. He stated that they will maintain the vacated area as a utility easement.

John Pannkuk, 8502 Maple Bluff Court, Senior Pastor at St John's Lutheran Church, appeared before the Commission. Mr. Pannkuk stated that St. John's Congregation has been located on this property for 140 years. He stated that they see themselves as part of an expanding ministry in this area. He stated that their Christian Day School is a very important part of the ministry of the congregation. He stated that likewise they are deeply involved in the ministry of the West Central Neighborhood ministries, along with approximately 7 or 8 other downtown and West Central Neighborhood congregations. He stated that they are deeply committed to this particular area of the city. He stated that they are a very metropolitan congregation, with people coming from all over the Fort Wayne area. He stated that in their publicity they say that their church facilities are centrally located to where their members live. He stated that they find that for their ministry for the immediate area and the outlying area that the alley vacation would be extremely important.

Ron Fiebig, principal of the school, 7128 Riverton Drive appeared before the Commission. Mr. Fiebig stated that through the years they have served between 120 to 140 students at this location. He stated that safety is an important issue with regard to the vacation. He stated since they have been getting rid of buildings and making the space more open, they have seen much more cross traffic going through the parking lot, and people crossing from Van Buren to Broadway or out to Jefferson to miss stop lights. He stated that students are out in the area at that time for recess and they are concerned about their safety. He stated that they also have 5 buses coming into the lot for interchanges to shuttle students to different schools after school. He stated that they

are concerned that there is no traffic in the area while the buses are there. He stated that they feel they could control the traffic better if they close the one end of the alley.

Don Noland, 1528 Forest Park Blvd., a Church Councilmember appeared before the Commission. Mr. Noland stated that he wanted to assure them that they have a very stable membership and they intend to stay where they are, which is evidenced by their long range plan.

Terry Kienzle, 2110 E Paulding Road, Chairman of the Long Range Plan Committee for the church appeared before the Commission. Mr. Kienzle stated that they have been working on this for the last two years in order to find a way to develop the properties. He stated that they feel it is very important to have the alley vacated in order to tie all of the properties together. He stated that they felt it would make for a much better appearance for the facility and they would be joining in the efforts of the West Central Neighborhood improvements.

Mel Smith questioned if this was going to be done in phases.

Mr. Bosserman stated that everything is planned to be one phase. He stated they would like to get to work as quickly as they can, since the school is closed down for the summer.

Dave Ross questioned what would happen to the people who have a garage on this alley. He questioned if there was some written agreement between the property owners for access.

Mr. Bosserman stated that the property owners are members of the church. Mr. Ross questioned if there was any agreement that would stay with the title of the land if the property were to be sold.

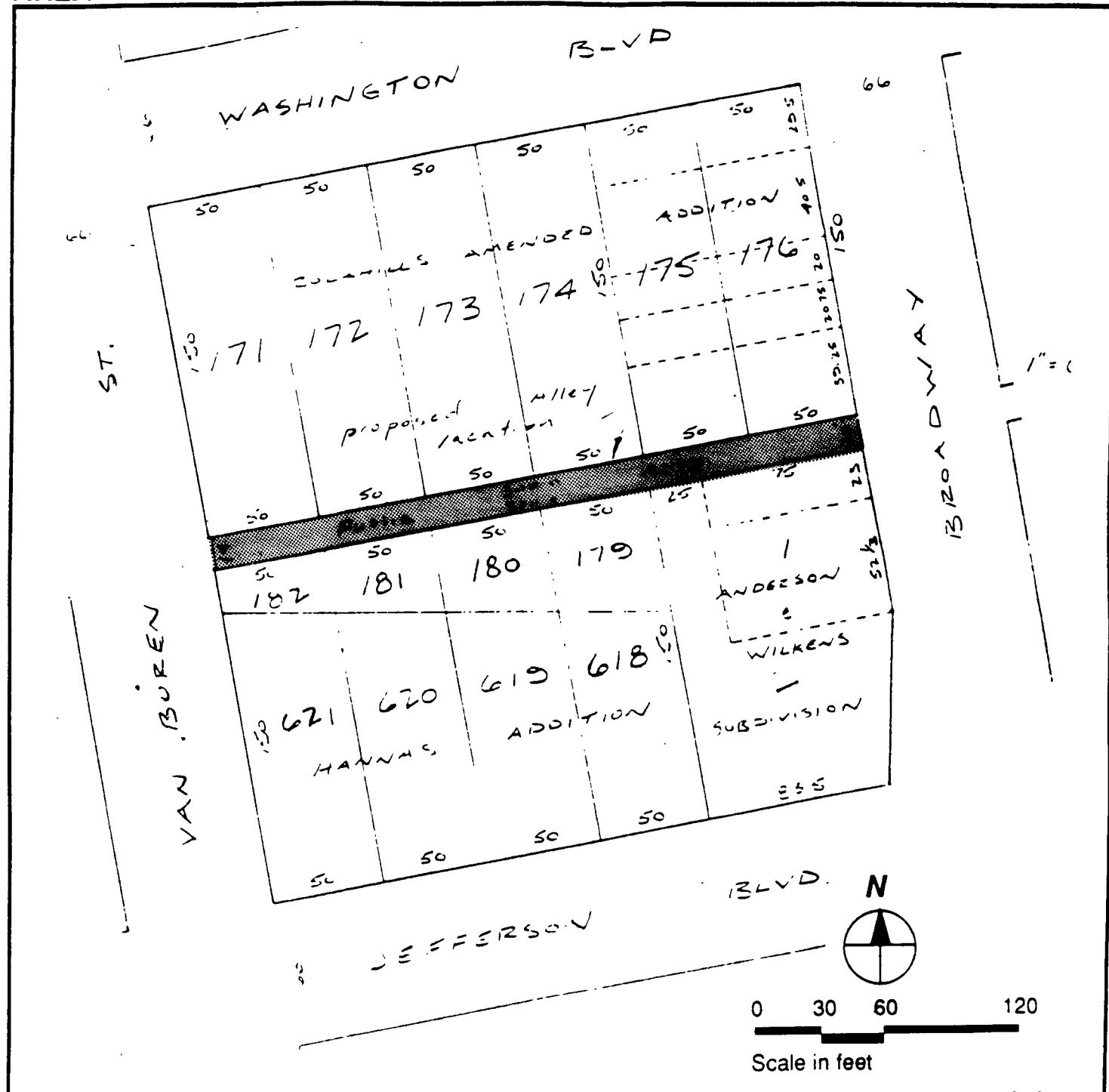
Mr. Bosserman stated there was not.

There was no one else present who spoke in favor of or in opposition to the proposed vacation.

VACATION PETITION

AREA MAP

CASE NO. #535



COUNCILMANIC DISTRICT NO. 5

Map No. L-6  
LW 4-28-93

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	MHP	Mobile Home Park
PUD	Planned Unit Dev.	POD	Professional Office District		

BILL NO. G-93-05-12

REPORT OF THE COMMITTEE ON  
REGULATIONS

DAVID C. LONG & REBECCA J. RAVINE - CO-CHAIRPERSONS  
LUNSEY, SCHMIDT

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) amending the Thoroughfare  
Plan of the City Comprehensive ("Master") Plan by vacating  
an alley thereof

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (RESOLUTION)

DO ~~PASS~~

**DO NOT PASS**

## ABSTAIN

NO REC

Rebecca Justice  
University of Oregon  
OSUmp

DATED: 8-25-93.

Sandra E. Kennedy  
City Clerk



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

July 30, 1993

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of August 4, 1993, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-93-05-12  
Alley Vacation

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

*Sandra E. Kennedy*  
Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

July 30, 1993

Don Noland  
729 W Washington Blvd  
Fort Wayne, IN 46802

### NOTICE OF PUBLIC HEARING ON BILL NO. G-93-05-12

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, August 24, 1993, at 5:30 P.M., in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

East/West alley between Broadway & Van Buren,  
south of Washington Blvd.

To improve property and physical image  
in the community

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

FORT WAYNE COMMON COUNCIL

*Sandra E. Kennedy*

Sandra E. Kennedy  
City Clerk

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
BILL NO. G-93-05-12

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, August 24, 1993, at 5:30 P.M., in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Said alley is 14 feet wide and lies south of and adjacent to Lots 171, 172 173, 174, 175, and 176 in Rockhill's Amended Addition to the City of Fort Wayne, Allen County, Indiana, and is further bounded on the west by VanBuren Street and on the east by Broadway and in particular described as follows: Commence at the Southwesterly corner of Lot 171 in said Rockhill's Amended Addition; thence easterly along the northerly line of a 14 foot public alley, being coincident with the southerly line of 171, 172, 173, 174, 175 and 176 in said Rockhill's Amended Addition, a distance of 300.0 feet to the southeasterly corner of Lot 176 in said Addition, being situated on the westerly right-of-way of Broadway; thence southerly along the westerly right-of-way of Broadway, a distance of 14 feet to the northeasterly corner of Lot 1 in Anderson and Wilken's Subdivision; thence westerly along the southerly line of said alley; being coincident with the northerly line of Lots 1 and 2 in said Anderson and Wilken's Subdivision and the northerly line of Lots 179, 180, 181, and 182 in Rockhill's Amended Addition, a distance of 300.0 feet to the northwesterly corner of Lot 182 in said Rockhill's Amended Addition, being situated on the Easterly right-of-way line of VanBuren Street; thence northerly along the easterly right-of-way line of VanBuren Street, a distance of 14 feet to the point of beginning.

All interested parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy  
City Clerk

*From the Desk of:*  
**Pat Biancaniello**

Agent:

Don Noland  
729 W Washington Bl  
Fort Wayne IN 46802

426-5751

Ft. Wayne Common Council  
(Governmental Unit)

To: The Journal-Gazette Dr.

Allen County, Indiana

P.O. Box 100  
Fort Wayne, IN

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

## COMPUTATION OF CHARGES

43 lines, 1 columns wide equals 43 equivalent lines  
at .33 cents per line \$ 14.19

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) 1.00

TOTAL AMOUNT OF CLAIM \$ 15.19

## DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Deb Alford*

Date: August 4, 1993

Title: Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

2 in said Anderson and Wilken's Subdivision and the northerly line of Lots 179, 180, 181, and 182 in Rockhill's Amended Addition, a distance of 300.0 feet to the northwesterly corner of Lot 182 in said Rockhill's Amended Addition, being situated on the Easterly right-of-way line of VanBuren Street; thence northerly along the easterly right-of-way line of VanBuren Street, a distance of 14 feet to the point of beginning.

All interested parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL  
Sandra E. Kennedy  
City Clerk  
#751

notary public in and for said county and state, the \_\_\_\_\_ who, being duly sworn, says that he/

The Journal-Gazette newspaper of general

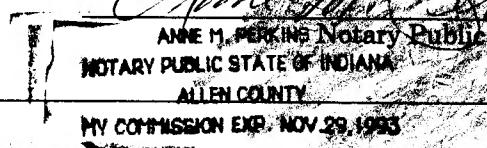
read in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time \_\_\_\_\_, the dates of publication being as follows:

August 4, 1993

*Deb Alford*

Subscribed and sworn to before me this 4th day of August, 1993.

My commission expires:



Ft. Wayne Common Council  
(Governmental Unit)

Allen County, Indiana

To: The News-Sentinel  
P.O. Box 100  
Fort Wayne, IN

Dr.

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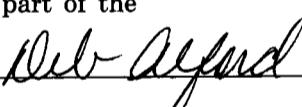
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All interested parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL  
Sandra E. Kennedy  
City Clerk  
#751

8-4 FORT WAYNE, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time , the dates of publication being as follows:

August 4, 1993



Subscribed and sworn to before me this 4th day of August, 1993.

  
Anne M. Perkins  
Notary Public  
NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY  
MY COMMISSION EXP. NOV 29, 1993

My commission expires:

Ft. Wayne Common Council  
(Governmental Unit)To: The Journal-Gazette  
P.O. Box 100  
Fort Wayne, IN

Allen County, Indiana

Dr.

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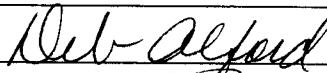
## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Deb Alford who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time August 4, 1993, the dates of publication being as follows:

August 4, 1993

Subscribed and sworn to before me this 4th day of August, 19 93.

ANNE M. PERKINS Notary Public  
NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY

MY COMMISSION EXP. NOV 29, 1993

My commission expires:

